Congress of the United States
Washington, DC 20510

September 7, 2012

The Honorable Ken Salazar
Secretary
United States Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Mr. Secretary,

We write you today in support of the Tribal-State Compact submitted on August 31st by the Mashpee Wampanoag Tribe. The approval of this Compact would mean a great deal to the economic health of Massachusetts. We respectfully request that you consider the Compact expeditiously for approval.

The Massachusetts State Legislature carefully constructed legislation that would authorize gaming across the Commonwealth, including tribal gaming under the Indian Gaming Regulatory Act (IGRA). Recognizing the important role of tribal gaming, the Governor promptly responded to the Tribe's request to negotiate an IGRA Compact, reaching a balanced and beneficial Compact agreement that reflects the interests of the Commonwealth as well as the Tribe.

We believe that the Compact is consistent with the stated purposes and goals of IGRA. The Compact will provide revenue for the Tribe to help it overcome economic barriers. The casino development and operation it authorizes will boost the economy of southeastern Massachusetts with jobs and commerce. As part of the Compact negotiations the Tribe has also committed to contribute to a Mashpee Tribal Gaming Fund that will help mitigate harmful effects that may result from gaming operations.

Massachusetts engaged in Compact negotiations prior to the Tribe holding its land in trust. The Commonwealth would have been within its rights under the Expanded Gaming Act of 2011 to grant a gaming license to a commercial gaming entity and thereby gain considerable tax revenues that are not permissible under IGRA. However, the Commonwealth acknowledged the Tribe's rights under IGRA and the significant economic benefit that a Compact would have for the Tribe.

The Tribe, the Governor and the Massachusetts Legislature have approved this Compact. However, if this Compact is not approved by DOI, it will be extremely difficult to reach another agreement that is acceptable to all parties, greatly endangering the chances that the Tribe will be able to competitively participate as commercial gaming expands in the Commonwealth. Time is of the essence to keep this careful, consensus deal moving forward, paving the way for a new economic era for the Tribe.

We therefore respectfully request that you consider the Compact expeditiously for approval. We look forward to working with you on this important initiative and thank you for your consideration of this Compact.

Sincerely,

John F. Kerry
United States Senator

Scott P. Brown
United States Senator

Barney Frank
Member of Congress

James P. McGovern
Member of Congress

Stephen F. Lynch
Member of Congress

Niki Tsongas
Member of Congress

William R. Keating
Member of Congress

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515639

Congress of the United States
Washington, DC 20515

May 31, 2012

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Secretary Salazar,

As the congressional delegation representing the New England National Scenic Trail (NET), we write to thank you for your ongoing commitment to maintain funding within the Park Service budget to support the National Scenic Trail System. The NET is one of these eleven unique and nationally-significant trails that offer the public amazing opportunities for exploration, exercise, and renewal in the outdoors.

A strong partnership between the National Park Service, the Connecticut Forest & Park Association, and the Appalachian Mountain Club is the foundation upon which the great successes of the NET are built. Together, these partner organizations leveraged over 9,000 volunteer hours in 2011 alone and continue to generate great excitement about the NET in the thrity-nine communities it traverses in Connecticut and Massachusetts.

As you know, the NET was supported in the Operations of the National Park Service budget at $128,000 in the President's FY 2013 budget request. We hope to exceed that base level of operational support in the FY 2014 request, and hope that you will also devote $1.5 million of Land and Water Conservation Fund (LWCF) allocations to projects along the NET. Your support is crucial to ensure a continued high-quality recreational experience for thousands of trail users.

We thank you again for your support and encourage your strong leadership in fostering appreciation and enjoyment of the National Trails System and America's great outdoors.

Sincerely,

JOHN F. KERRY
United States Senator

JOSEPH I. LIEBERMAN
United States Senator

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SCOTT P. BROWN
United States Senator

RICHARD BLUMENTHAL
United States Senator

JOHN W. OLVER
Member of Congress

CHRISTOPHER S. MURPHY
Member of Congress

RICHARD E. NEAL
Member of Congress

ROSA L. DELAURO
Member of Congress

JAMES P. MCGOVERN
Member of Congress

JOHN F. TIERNEY
Member of Congress

JOHN B. LARSON
Member of Congress

JOE COURTNEY
Member of Congress

NIKI TSONGAS
Member of Congress

CC: Dennis Reidenbach, NPS Northeast Region Director

THE SECRETARY OF THE INTERIOR
WASHINGTON

AUG - 3 2012

The Honorable Scott P. Brown
United States Senate
Washington, DC 20510

Dear Senator Brown:

Thank you for your letter of May 31, 2012, expressing support for increasing the base level of operational support for the New England National Scenic Trail (NET) and for a Land and Water Conservation Fund (LWCF) allocation for trail corridor protection projects in FY 2014.

The NET's creative partnership between the National Park Service, the Appalachian Mountain Club, and the Connecticut Forest & Park Association is an effort that has effectively attracted strong volunteerism and widespread community support. One reason for this success is the goal of reaching out to multiple constituencies. This year new NET initiatives include a youth conservation corps in Holyoke, a trail-wide photography exhibition, a mobile mapping application, trail management agreements with local college outing clubs, and a "Trails for Every Classroom" with an alternative high school in Farmington. We look forward to its continued progress in the coming year.

The National Park Service and its partners are working closely with local communities and land trusts along the NET to identify optimal relocations of the trail and permanent protection of NET corridor lands to provide the best possible recreational experience for everyone. In addition, with the recent designation of the Connecticut River National Blueway, the NET is now coordinating with the Silvio Conte National Wildlife Refuge to identify opportunities for collaborative landscape conservation.

We appreciate your support and interest in the National Park Service and the New England National Scenic Trail. An identical response is being sent to the cosigners of your letter.

Sincerely,

Ken Salazar

Ken Salazar

Congress of the United States
Washington, DC 20510

April 19, 2012

The Honorable Kenneth Salazar
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, DC, 20240

Dear Secretary Salazar,

We are writing to request a meeting with you to discuss the creation of a national memorial to honor Presidents John Adams and John Quincy Adams and their legacy in Washington, D.C.

The Adams family played a critical role in founding the United States and charting a course that helped our fledgling democracy become a great nation. In 2001, Congress authorized the creation of a commemorative work to honor the Adams' family legacy. In 2002, Congress authorized the Adams Memorial Foundation to locate the commemorative work within Area I, the area surrounding the national mall excluding the "Reserve." Since that point, the Foundation has evaluated numerous potential sites and prepared a formal alternate site study. The Foundation has made significant progress towards developing the programming element of the memorial in close coordination with the National Park Service. However, they now need a site to initiate a design competition and private fundraising campaign in order to build the memorial.

Constructing a memorial to Presidents John Adams, John Quincy Adams and their legacy will help preserve an important part of American history and educate our citizens and the world about the founding of our democratic union. Accordingly, we respectfully request a meeting with you to discuss appropriate sites for this important memorial.

We look forward to working with you to honor the Adams' presidency and legacy.

Sincerely,

John F. Kerry
United States Senator

Scott P. Brown
United States Senator

William R. Keating
Member of Congress

SCOTT P. BROWN
MASSACHUSETTS

359 DIRKSEN SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-4543
(202) 228-2646 FAX

2400 JFK FEDERAL BUILDING
BOSTON, MA 02203
(617) 565-3170
(617) 723-7325 FAX

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS
ARMED SERVICES
VETERANS' AFFAIRS
SMALL BUSINESS

February 28, 2012

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Salazar,

I write to you today regarding the decision by the National Park Service to demolish camps on North Beach Island in Chatham, Massachusetts. The residents of Chatham strongly feel that their concerns with the demolition have not been given due consideration by the National Park Service.

According to the National Park Service, the decision to demolish the camps is based on the coastal erosion that is putting some of the existing camps at high risk due to possible natural emergencies such as hurricanes and other storm events. A storm on the beach inlet in 2007 started the beach erosion, but a timeline of when erosion will occur, or if it will continue, remains unknown.

The Chatham residents are distraught about the idea of their history and culture being dismantled due to the unpredictable coastal erosion that may take place. Specifically, the community has expressed that their voice has not been heard by the National Park Service and they have been alienated from discussions regarding the demolition. Currently, the camps are not in danger of washing away and the residents have requested more time to discuss the impact of the demolition on the community. Some of the residents' current concerns include the route that has been proposed, the monitoring of the work, the short-term and long-term effects, and the time period of when the demolition will occur.

I understand the National Park Service's concerns that leaving the camps to erode naturally will impact the surrounding environment and may have an adverse effect; however, the Chatham community must be engaged in these discussions. I respectfully request that you direct the National Park Service to delay any demolition of the camps and, most importantly, engage in meaningful and direct outreach with the Chatham community.

Thank you for your attention to this matter. I look forward to your reply.

Sincerely,

Scott P. Brown

Scott P. Brown
United States Senator

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United States Senate

WASHINGTON, DC 20510

February 7, 2012

The Honorable Ken Salazar
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Salazar:

As we quickly approach the release of the President's Fiscal Year 2013 budget request we are reminded that our four states shared Silvio O. Conte National Wildlife Refuge (NWR), had ranked as the #2 national priority land acquisition for the Fish and Wildlife Service (FWS) in Fiscal Year (FY) 2012. We would like you to know that we are all committed to the Land and Water Conservation Fund (LWCF), and joined together last year to express our strong support for LWCF and the Conte NWR in the FY 2012 Interior and Environment, and Related Agencies Appropriations Bill. This is an exemplary use of the federal Land and Water Conservation Fund that will conserve the character and natural habitat resources in New England's largest watershed, and ensure that these lands are not lost forever.

Established as one of the first watershed-based refuges in the nation, the Silvio O. Conte NWR was a precursor and model for landscape-scale conservation efforts now taking place across the country. The Conte weaves through our New England communities stretching over 465 miles through our four states, encompassing critical wildlife corridors and supporting outdoor recreation to give public access to lands where Americans can hike, fish, hunt, paddle, bird watch, or bike.

In our four states, development pressures throughout the Connecticut River watershed have made the work of the Fish and Wildlife Service within the refuge very important as we try to protect this fragile ecosystems and important recreation lands. The $6.5 million included in the FY2012 LWCF appropriation will allow the Conte NWR project to protect many of the pieces in the conservation puzzle that we are trying to assemble in our four states. We are extremely grateful to the U.S. Fish & Wildlife Service for continuing to work diligently with willing land owners in our four states in order to protect this area piece by piece, and put together a conservation mosaic of land that is structurally and functionally sound.

As such a significant project for the Conte NWR, we would like to continue to follow this acquisition closely and formally request a briefing for our staff on the progress of this important project and an update on the expected obligation of the entire $6.5 million appropriated in the FY2012 budget.

Thank you in advance for your consideration of our request.

Sincerely,

PATRICK LEAHY
United States Senator

BERNARD SANDERS
United States Senator

JOHN KERRY
United States Senator

SCOTT BROWN
United States Senator

JOSEPH I. LIEBERMAN
United States Senator

RICHARD BLUMENTHAL
United States Senator

JEANNE SHAHEEN
United States Senator

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2012 FEB 23 PM 3:03
OFFICE OF THE
EXECUTIVE SECRETARIAT
509557

Congress of the United States

Washington, DC 20515

506779

November 1, 2011

The Honorable Ken Salazar
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Secretary Salazar,

RECEIVED 2011 NOV 1 AM 11:

It is our understanding that the Mashpee Wampanoag tribe is significantly underfunded compared to other New England tribes currently receiving Bureau of Indian Affairs (BIA) base funding. We are concerned that BIA base funding is based on a resource system that reflects how long a tribe has been federally recognized, rather than the needs of the tribe.

At the time of federal recognition in 2007, the Mashpee Wampanoag population numbered approximately 1,462. These figures led to a base annual funding level of $320,000. In FY2010, the Mashpee Wampanoag population numbered approximately 2,626, and received $311,000. Comparable tribes to the Mashpee in population, the Narragansett, the Pequot, and the Mohegan, received $1,041,000, $467,000, and $531,000 in base level funding in FY2010 respectively. These New England tribes receive $547 in BIA base funding per tribal member on average. In stark contrast, the Mashpee Wampanoag receive only approximately $120 in BIA base funding per tribal member annually. The Mohegan, the second least funded New England tribe, receives $281 in BIA base funding per tribal member, over double the funding in comparison to the Mashpee.

As a first step toward understanding what these newly recognized tribes need, we ask the BIA to conduct population and needs assessments on a regular basis. The Office of Legislative Affairs for BIA reported to our offices that "funding usually remains in the New Tribes category until the new tribal governments have built government systems and set funding priorities that address the needs of their communities." The Mashpee report that they never once went through a needs assessment with BIA. It is our understanding that if the BIA comprehensively reviews the Mashpee's current status they will find that the tribe still significantly struggles with aiding the needs of its community. Mashpee Household Median Income is $29,100, which is less than fifty percent of the Commonwealth's median income, and forty percent of the Mashpee population is unemployed. It is unclear how the BIA can carry out their stated policy on transitioning tribes from New Tribes funding to standard base funding without performing assessments to evaluate the status of tribal government and needs of their communities.

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Most recently, in September, 2011, the Mashpee Development Department and Tribal Court reached out to the BIA Office of Justice Services to ask for funding assistance under the Tribe's base funding to allow for the further development of the Tribal Court. Currently, 184 other federal tribes contract with BIA for Tribal Court development. It is our understanding that the Mashpee were told that because of their date of recognition they would not be able to receive the same level, if at all, of support to develop the Tribe's court infrastructure. Instead, BIA proposed a onetime payment to purchase equipment. When the Mashpee asked for guidance to obtain such funding, they discovered that they were in a different position than other tribes because funds for these purposes were already allocated to tribes recognized at an earlier date. We ask that you continue to work with the Mashpee Development Department and Tribal Court on funding options they may apply for.

In order to facilitate a productive dialogue regarding our concerns, we ask that the Bureau of Indian Affairs set up a briefing within 30 days of receipt of this letter with the members of the Massachusetts delegation who have signed this letter or their staff. Please feel free to contact Kristen Granchelli in Senator Scott Brown's office or Megan Thompson in Senator John Kerry's office to organize such a briefing. We appreciate your attention to this matter and look forward to hearing from you.

Sincerely,

John F. Kerry
U.S. Senator

Scott P. Brown
U.S. Senator

William R. Keating
U.S. Representative

Illustration 2-1

INDIAN AFFAIRS
Record of Telephone Response to Correspondence

Incoming Correspondence

From: Massachusetts Congressional Delegation IA-ES Control #: _____

ES-SIO TP#: 00033534

_____ Phone: _____

Name of the person you spoke with if different than the correspondent:

_____

Indian Affairs Response

Description of the information provided:

Mtg Requested by Massachusetts delegation regarding funding issues. Meeting held in January with the delegation's staff and addressed their concerns. Contact Person is Mike Smith.

Michael R. Smith 3/8/2012

- Christian Jock, Budget Officer, Indian Services

Call Made By: _____ Phone: _____

Office/Division/Branch: _____

Records Schedule Number: _____ Date: _____

Instructions: File this completed form with the incoming correspondence. If responding to controlled correspondence, send a copy of the form to IA-ES.

Tippeconnic, Betty

Subject:	Pre-Meeting Mashpee Funding - Mass. Delegation
Location:	OCLA-IA Conference Room Room 3644
Start:	Wed 1/11/2012 2:00 PM
End:	Wed 1/11/2012 2:30 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Metcalf, Liberty
Required Attendees:	Kunesh, Patrice; Krispinsky, Rebekah; Tingle, Tricia; Cruzan, Darren A; Pete, Darren; Tippeconnic, Betty; McBride, Debbie; Wisniewski, Ariana
Categories:	IMPT

When: Wednesday, January 11, 2012 2:00 PM-2:30 PM (GMT-05:00) Eastern Time (US & Canada).
Where: OCLA-IA Conference Room Room 3644

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*~*

All – Just as a reminder, the meeting with the Mass. delegation is scheduled to for this Thursday, January 12, 2012, at 2:00pm, 359 Dirksen Senate Office Building. Please find the attached letter from the Mass. delegation. OCLA-IA thinks it would be a good idea to hold an internal pre-meeting to discuss. Can everyone make themselves available for a pre-meeting on this issue. This pre-meeting will be held in the OCLA-IA conference room (3644) enter through room 3648. For those who are unable to attend in person the call in number is:

Non-Responsive
Participant Code: Non-Responsive
Pass Code: Non-Responsive

Mass. Del 11.1.2011.pdf

Congress of the United States
Washington, DC 20515

August 10, 2011

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20502

Dear Mr. President:

As elected representatives of the four states encompassing the boundaries of the Silvio O. Conte National Fish and Wildlife Refuge, we are writing to commend the exceptional work of the Fish and Wildlife Service (FWS) with regard to the Conte Refuge, and to express our strong support for sufficient Land and Water Conservation Funding (LWCF) levels to be directed to and by the agency in Fiscal Years (FY) 12 and 13.

In FY11, FWS agency staff and non-governmental partner groups composing the Friends of Conte, identified $6.5 million in priority land protection projects. The Conte Refuge project ranked #4 nationwide in FWS's Land Acquisition Prioritization System (LAPS). Although the Administration's FY11 budget included $6 million for the Conte Refuge, final FY11 negotiations provided only $2.3 million in funding, leaving several projects unfunded in the current fiscal cycle.

In FY12, partners and FWS requested $6.5 million for the Conte Refuge to protect more than 1,800 acres of nationally significant wildlife habitat. This project ranked #2 in LAPS. We thank you for recognizing the significance of the Conte Refuge and proposing full funding in the FY12 federal operating budget.

For FY13, partners have identified $7.1 million in available projects, and we are hopeful that the Administration will continue to propose funding the Conte Refuge at a level sufficient to meet the need. A total of over $14 million in projects are identified as current and available priorities within the Conte Refuge.

There are several reasons that justify this level of funding. Through the America's Great Outdoors (AGO) Initiative, which was used to formulate the 2012 Federal land acquisition priorities, the Departments of the Interior and Agriculture worked together on the first ever Federal government-wide process to coordinate land acquisition and conservation strategies for programs funded by the Land and Water Conservation Fund using merit-based criteria. Under this initiative, The Connecticut River was listed as one of only twelve geographic areas in which the agencies agreed to focus. The Northern Forest, which includes the northern section of the Conte Refuge, was also identified as one of the 12 AGO priorities.

The Conte Refuge is a unique opportunity to leverage additional non-Federal funding, to coordinate with other Federal, State, local, and tribal governments to maximize conservation

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outcomes, and to realize economic and community benefits, such as new or enhanced outdoor recreation opportunities from strategic investment in land conservation.

It is important that this funding be provided in a timely fashion to work with willing land owners and protect critical parcels within the Conte Refuge boundaries. Current opportunities include more than 4,000 acres in New Hampshire, 4,000 acres in Vermont, 3,000 acres in Massachusetts, and 3,000 acres in Connecticut. In many cases, landowners with whom the Service and its partners are working with have expressed a need to divest of their properties in the near term.

The Conte Refuge was established in 1997 to conserve, protect and enhance the abundance and diversity of native plant, fish and wildlife species and the ecosystems on which they depend throughout the 7.2 million acre Connecticut River Watershed. The Conte Refuge is unique in that its footprint extends across an entire watershed, covering large areas of Vermont, New Hampshire, Massachusetts and Connecticut. It contains a great diversity of habitats, notably: northern forest valuable as nesting habitat for migrant thrushes, warblers and other birds; rivers and streams used by shad, salmon, herring and other migratory fishes; floodplain forests that not only provide valuable wildlife habitat but also important flood storage and mitigation ecosystem services; and an internationally significant complex of high-quality tidal fresh, brackish and salt marshes.

The Conte Refuge spans a 410 mile north-south gradient as well as an elevational gradient from sea level to more than 5,000 feet in elevation. This diversity of habitats within the boundaries of the Conte Refuge provides a tremendous opportunity to plan for a resilience network of divisions, strategically located throughout the watershed to maximize the protection of our nation's important natural resources. There are numerous federal, state, university and nongovernmental partners working to further land conservation, habitat restoration, scientific research and community outreach in the Conte Refuge. To date, these partners have protected nearly 350,000 acres within the Connecticut River Watershed.

Thank you again for your support of the Silvio O. Conte National Fish and Wildlife Refuge and for your consideration of our request.

Sincerely,

John W. Olver
Member of Congress

John F. Kerry
United States Senator

Patrick Leahy
United States Senator

Scott P. Brown
United States Senator

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Richard Blumenthal
United States Senator

Bernard Sanders
United States Senator

Joseph I. Lieberman
United States Senator

Peter Welch
Member of Congress

Richard E. Neal
Member of Congress

John B. Larson
Member of Congress

Joe Courtney
Member of Congress

Rosa L. DeLauro
Member of Congress

James A. Himes
Member of Congress

Christopher S. Murphy
Member of Congress

Cc:

Ken Salazar, Secretary of Interior

Daniel M. Ashe, Director of the U.S. Fish and Wildlife Service

Nancy Sutley, Chair of the Council on Environmental Quality

Jack Lew, Director of OMB

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

The Honorable Scott P. Brown
United States Senate
Washington, D.C. 20510

Dear Senator Brown:

Thank you for your letter of August 10, 2011, also co-signed by several of your colleagues, to President Barrack Obama supporting the continued land protection efforts at Silvio O. Conte National Fish and Wildlife Refuge.

The President, the Secretary of the Interior, Ken Salazar, and I all agree that full funding of the Land and Water Conservation Fund is essential to protect our nation's natural resources and working landscapes, including the Connecticut River watershed where Conte Refuge is located. As you point out, the Connecticut River and the adjoining Northern Forest are among the centerpieces of the Administration's America's Great Outdoors (AGO) Initiative. We are pleased that the AGO has resulted in increased collaboration among Federal agencies, state partners, non-profit organizations, and landowners across the country in pursuit of a shared vision of conservation.

Please be assured that the Conte Refuge remains a high priority for current and future land protection by the U.S. Fish and Wildlife Service, but the key to acting on that priority will be broadened by Congressional support for full funding of the Land and Water Conservation Fund. We appreciate your leadership in Congress to ensure that land conservation remains a national priority for the many economic and social benefits it provides to the American people.

Sincerely,

Director

Congress of the United States
Washington, DC 20515

498335

February 22, 2011

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street
Washington, DC 20240

RECEIVED
2011 FEB 22 PM 5:

Dear Secretary Salazar:

We are writing to you regarding the Bureau of Ocean Energy Management and Enforcement's recently issued "request for interest" for potential offshore wind power developers in the Northeast. The map proposes a 3,000 square mile area off the coast of Massachusetts for potential wind development, and the eastern edge of this area is in the vicinity of the Georges Bank fishing grounds.

Georges Bank and the Nantucket Lightship Area are critical fishing grounds for northeastern fishermen and they must be protected for future generations. We were troubled to learn that many our constituents were unaware of this proposal until the Department of Interior recently held a hearing in New Bedford, Massachusetts on February 16 with the comment period ending only 12 days later on February 28th. We feel that amount of time is insufficient for affected stakeholders to analyze and submit comments on an energy development proposal that could have lasting impacts in the region.

Additionally, we feel that the Bureau did not adequately consult with the fishing industry or even the Federal fisheries regulators prior to drafting their map. We respectfully request that the Bureau properly consult with the fishing industry on this matter and we ask that you extend the comment period by an additional thirty days to allow stakeholders an opportunity to provide their valuable input into this process.

Thank you for attention to this important issue and we look forward to your reply.

Senator John F. Kerry

Congressman Barney Frank

Senator Scott P. Brown

Congressman John F. Tierney

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THE SECRETARY OF THE INTERIOR
WASHINGTON

APR 22 2011

The Honorable Scott Brown
United States Senate
Washington, D.C. 20510

Dear Senator Brown:

Thank you for your letter of February 22, 2011, concerning the consultation process for the Request for Interest (RFI) issued by the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) for commercial leasing for wind power on the Outer Continental Shelf off the coast of the Commonwealth of Massachusetts (Commonwealth). You also requested additional time for stakeholders to submit comments on the wind power proposal. A similar response is being sent to each cosigner of your letter.

The BOEMRE has not yet identified the area that could be subject to leasing. There are several more steps before BOEMRE will be able to issue specific leases. The BOEMRE is gathering information that will enable the identification of areas that may offer the highest potential for future wind development, while minimizing multiple use conflicts. The leasing area identified will also undergo environmental analyses under the National Environmental Policy Act.

At the request of the Commonwealth's Executive Office of Energy and Environmental Affairs, BOEMRE participated in State-hosted public information sessions in New Bedford and Martha's Vineyard on February 16 and 17, 2011. During the public information sessions, members of the public and representatives from the commercial fishing community requested that BOEMRE extend the RFI comment period an additional 30 days. After receiving feedback from the commercial fishing community at the public information sessions, the Commonwealth also requested an extension of the RFI comment period for an additional 30 days. Based on these requests, BOEMRE announced that it would reopen the public comment period on the Massachusetts RFI for 30 days. A notice was published in the *Federal Register* on March 17, 2011, announcing a 30-day comment period through April 18, 2011. The BOEMRE has also reached out to the fishing community and has been invited to participate in the upcoming meeting of the New England Fishery Management Council.

I look forward to our continued partnership to promote green jobs and clean energy on the Atlantic coast.

Sincerely,

Ken Salazar

Ken Salazar

SCOTT P. BROWN
MASSACHUSETTS

[illegible] Senate Office Building
Washington, DC 20510
(202) 224-4543
(202) 228-2846 Fax

[illegible] MA 02203
(617) 565-3170

United States Senate

WASHINGTON, DC 20510

[illegible]
HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

ARMED SERVICES

VETERANS' AFFAIRS

February 1, 2011

The Honorable Ken Salazar, Secretary of the Interior
United States Department of the Interior
1849 C Street, NW
MS-6156
Washington, DC 20240

Dear Secretary Salazar:

I write to you today to respectfully request that the Bureau of Ocean Energy Management, Regulation, and Enforcement (BOEMRE) provide public review and comment on the Construction and Operating Plan (COP) for the proposed Cape Wind project.

The Department of the Interior has stated on the record that until Cape Wind has an approved COP, developers have no authority to begin construction. The Department also stated that it has full discretion to deny the approval necessary to construct the project. Further, the Department has indicated that a supplemental Environmental Impact Statement (EIS) might be required and at minimum, an Environmental Assessment will be required. Therefore, it appears that additional review would be necessary under the National Environmental Policy Act (NEPA).

NEPA calls for a comment period on actions such as the COP, supplemental EIS or Environmental Assessment "when the level of public interest or the uncertainty of effects warrants" a further review. Additional public review is also required when new information becomes available. It appears that these two tests apply in the case of the Cape Wind proposal.

Again, thank you for your consideration of this request to ensure that public comment will be an integral part of the COP review process.

Sincerely,

Scott P. Brown

Scott Brown
United States Senator

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2011 JAN 31 PM 12:34
EXECUTIVE SECRETARIAT
OFFICE OF THE SECRETARY
497660

Howarth, Robert

From: Mansour, Christopher
Sent: Tuesday, February 01, 2011 11:51 AM
To: Iudicello, Fay; Howarth, Robert; Salotti, Christopher; Urban, Heather; Levison, Lara; Schwartz, Melissa; Lillie, Thomas
Cc: Davis, Laura
Subject: FW: Sen. Scott Brown Letter to Sec. Salazar
Attachments: Cape Wind COP Letter 2.1.11.pdf

From: Diorio, Daniel (Scott Brown) [mailto:Daniel_Diorio@scottbrown.senate.gov]
Sent: Tuesday, February 01, 2011 11:05 AM
To: Mansour, Christopher
Cc: Levison, Lara
Subject: Sen. Scott Brown Letter to Sec. Salazar

Chris & Lara,

Please see the attached letter from Sen. Brown to Secretary Salazar regarding the Construction and Operating Plan for the Cape Wind project.

Please let me know if you have any questions.

Regards,

Dan Diorio
202-224-4602

Daniel R. Diorio
Legislative Assistant
Senator Scott P. Brown (R-MA)
202-224-4543
Please visit Senator Brown's website and public pages:
and sign up for his newsletter here

THE SECRETARY OF THE INTERIOR
WASHINGTON

APR 05 2011

The Honorable Scott P. Brown
United States Senate
Washington, DC 20510

Dear Senator Brown:

Thank you for your letter dated February 1, 2011, requesting a notice and comment period for the Construction and Operations Plan of the Cape Wind Energy Project. I appreciate your interest in the opportunities for public involvement that our environmental review process affords stakeholders in this important proposal.

On February 22, 2011, the Bureau of Ocean Energy Management, Regulation and Enforcement published a Notice of Preparation of an Environmental Assessment for the Cape Wind Associates, LLC COP Renewable Energy Lease on its website, at http://www.boemre.gov/offshore/RenewableEnergy/CapeWind.htm. In this notice, the BOEMRE provided an opportunity for public input prior to completion of the EA and a decision by the responsible official. To assist the public in preparing its comments, the BOEMRE also made the Cape Wind Energy Project COP available for download from the same website. The 15-day comment period on the EA ended on March 9, 2011.

The Department of the Interior is dedicated to fully complying with environmental laws, including the National Environmental Policy Act, as it moves forward with its mandate to offer leases, easements, and rights-of-way for renewable energy development on the Outer Continental Shelf. We appreciate your interest in this project and our procedures, and hope you will continue to follow our progress.

Sincerely,

Ken Salazar

Ken Salazar

Congress of the United States

Washington, DC 20515

September 13, 2010

The Honorable Ken Salazar
Secretary
United States Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

The Honorable Tom Vilsack
Secretary
United States Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, D.C. 20460

The Honorable Nancy Sutley
Chair
Council on Environmental Quality
722 Jackson Place, N.W.
Washington, D.C. 20506

Dear Secretaries Salazar and Vilsack, Administrator Jackson, and Chair Sutley,

We are writing to request that you give strong consideration to hosting an America's Great Outdoors (AGO) Initiative "listening session" in Massachusetts this fall. AGO seeks to build on State, local, private, and tribal priorities for the conservation of land, water, wildlife, historic, and cultural resources, to determine how the Federal Government can best advance these priorities through public private partnerships and locally supported conservation strategies. Massachusetts would provide an excellent location to better serve those in southern New England.

While listening sessions have been held in, or are planned for, Maryland, South Carolina, Washington, California, North Carolina, Minnesota, Montana, New York, Utah, Pennsylvania, and New Hampshire, there are no listening sessions planned for southern New England despite the significant population, the array of active statewide and regional conservation organizations, and a culture that has connected New Englanders to the ideas driving the President's Initiative.

The people of Massachusetts and New England have supported innovative land conservation in the public interests for over one hundred years. Our land trusts, landowners, sportsmen, and nonprofit partners have worked diligently to promote a better quality of life in our region by protecting parks, open space, coastal estuaries, and vital watersheds. The people of Massachusetts and southern New England have much to offer the nation as we seek to engage the next generation to care for our natural resources and be better stewards for our landscapes.

We now respectfully request that you extend the staff and resources necessary to implement a collaborative partnership with these organizations to ensure a successful listening session this fall in Massachusetts.

Sincerely,

John F. Kerry
United States Senator

Scott P. Brown
United States Senator

PRINTED ON RECYCLED PAPER

Edward J. Markey
Member of Congress

Barney Frank
Member of Congress

Richard E. Neal
Member of Congress

John W. Olver
Member of Congress

Bill Delahunt
Member of Congress

James P. McGovern
Member of Congress

John F. Tierney
Member of Congress

Michael E. Capuano
Member of Congress

Stephen F. Lynch
Member of Congress

Niki Tsongas
Member of Congress

492625

THE SECRETARY OF THE INTERIOR
WASHINGTON

OCT 27 2010

The Honorable Scott P. Brown
United States Senate
Washington, DC 20510

Dear Senator Brown:

Thank you for your letter of September 13, 2010, indicating your interest in the America's Great Outdoors Initiative. I write today on behalf of myself and my colleagues from across the Administration to express our appreciation for your recommendation that we conduct a listening session in Massachusetts this fall. On November 15, 2010, we will be submitting a report to the President on what we learned from the public through these listening sessions. In order to have adequate time to incorporate the public's ideas into the report, we completed the listening sessions in late summer. However, this will be an ongoing conversation with the American public on conservation and recreation.

We greatly appreciate your enthusiasm and commitment to begin writing a new chapter in the protection of rivers, wildlife habitats, historic sites, and the great landscapes of our country, and we encourage you and your colleagues to provide us with your recommendations and insights on the Initiative. We are also seeking continued involvement from interested citizens and would like your help in connecting with your constituents by suggesting they visit the America's Great Outdoors website at www.doi.gov/americasgreatoutdoors.

Thank you again for your interest and ideas on how we can best work together to protect the lands and waters that are so important to our national heritage and our future. Similar letters are being sent to Senator Kerry, Representative Markey, Representative Frank, Representative Neal, Representative Olver, Representative Delahunt, Representative McGovern, Representative Tierney, Representative Capuano, Representative Lynch and Representative Tsongas.

Sincerely,

Ken Salazar

Ken Salazar

THE SECRETARY OF THE INTERIOR
WASHINGTON

JUN 09 2010

The Honorable Scott P. Brown
United States Senate
Washington, D.C. 20510

Dear Senator Brown:

Thank you for your letter dated March 4, 2010, and your April 20, 2010, letter cosigned by Representative William D. Delahunt. I appreciate you taking time to share your concerns regarding the Cape Wind Project. A similar letter is being sent to Representative Delahunt.

After careful consideration of all the concerns expressed during the lengthy review and consultation process and thorough analysis of the many factors involved, I approved the Cape Wind Renewable Energy Project on April 28, 2010. I believe the project can be developed responsibly and with consideration to the important historic and cultural resources in the project area.

The project once completed would be the first wind farm on the United States Outer Continental Shelf, generating enough power to meet 75 percent of the electricity demand for Cape Cod, Martha's Vineyard, and Nantucket combined. The project would be one of the largest greenhouse gas reduction initiatives in the Nation, cutting carbon dioxide emissions from conventional power plants by 700,000 tons annually—the equivalent of removing 175,000 cars from the road for a year.

My decision begins a new direction in our Nation's energy future and will help push forward responsible development of our Nation's offshore renewable energy resources.

I look forward to continuing to work with you as we strive to meet the energy needs of the Nation in the best ways possible.

Sincerely,

Ken Salazar

Ken Salazar

Congress of the United States
Washington, DC 20515

April 20, 2010

The Honorable Kenneth L. Salazar
Secretary
Department of the Interior
1800 C Street NW
Washington, DC 20240

Dear Secretary Salazar:

We write today to ask you to bring all the stakeholders of the Cape Wind Project -- the Tribes, the affected towns, the Commonwealth of Massachusetts, the developer, and the historic preservation, safety, and environmental advocates – together to forge a consensus decision with regard to the development and siting of the project. We believe this to be a preferable approach, instead of the Interior Department simply rendering an up or down verdict on Cape Wind.

Without a consensus, we believe that a new phase of contentiousness and interminable litigation will commence, implicating the Department, the Commonwealth of Massachusetts, and numerous federal and state agencies. It will also mean many more years of divisive administrative proceedings involving mitigation on a broad range of remaining and unresolved issues.

The paralysis will not only affect this project, but will represent a missed opportunity to demonstrate how to constructively reconcile the conflicts that inevitably arise when projects like this are proposed elsewhere along our coast. It will also represent a missed opportunity to put to use the tools that are now being recommended by the White House and successfully adopted by other countries and other states – such as marine spatial planning and ocean zoning. Finally, it will deny Massachusetts and New England an opportunity to create jobs and economic opportunity in the clean energy sector.

As you know, federal law requires the federal government to issue leases only for those projects that do not conflict with other reasonable uses of the affected area. The conflicts and issues associated with the proposed site are well documented. Recently, the interagency Advisory Council on Historic Preservation weighed in and determined that Interior should "not approve the project." They stated that the "indirect and direct effects of the Project on the collection of historic properties would be pervasive, destructive, and, in the instance of seabed construction, permanent. By their nature and scope, the effects cannot be adequately mitigated at the proposed site." The Interior Department's own Inspector General identified numerous conflicts and issues raised by other federal agencies and biologists. Making matters worse, the Minerals Management Service has also ignored the Administration's new ocean management policies promoting ecosystem-based management, ocean zoning, and the proper allocation of coastal waters.

In spite of all the problems with Cape Wind, there is broad agreement that offshore renewable energy development should be a priority. Federal and state agencies have identified several other more appropriate sites for the Cape Wind project. Clearly, an "up or down" decision on the proposed site for Cape Wind means that the project will be tied up in litigation for years.

The federal government should take an active role in this effort. The Interior Department must have all parties at the table, and take a leadership role in working through these issues. Allowing energy companies to simply impose massive coastal energy projects on local communities and stakeholders – against their will and in the absence of a regulatory framework – is the wrong approach. It is counter-productive, and means that our country will miss out on an important opportunity to create thousands of jobs and economic opportunities in our communities.

It is the American people who are providing the public space for this project and it is the American people who are being asked to provide hundreds of millions of dollars in subsidies to the developers. The people most affected should have a seat at the table on this project. We must work together and start building consensus on the development of renewable energy off the Massachusetts coast, and elsewhere.

The approach we are recommending avoids this outcome. We believe there is still enough time to do this right – for the Administration, for the Commonwealth, for the developer, for the stakeholders, and for the US taxpayers – but only if the Interior Department takes a leadership role in developing consensus.

We appreciate your consideration of this request, and stand ready to assist in any way we can.

Sincerely,

Scott P. Brown

Senator Scott P. Brown

Bill Delahunt

Congressman William D. Delahunt

2010 169587

Long, Susan

From: Iudicello, Fay
Sent: Tuesday, April 20, 2010 2:13 PM
To: Peters, Kristen
Cc: Long, Susan
Subject: FW: Letter for Secretary Salazar
Attachments: Brown Delahunt Letter to Sec. Salazar Cape Wind 4.20.10.pdf

Pls date stamp, enter into system and task ... thanx

Fay S. Iudicello
Director,
Office of the Executive Secretary
& Regulatory Affairs
(202) 208-3181 ofc
(202) 251-0135 bb
(202) 219-2100 fax

From: Mansour, Christopher
Sent: Tuesday, April 20, 2010 1:50 PM
To: Lane, Kenneth; Marsters, Lizzie; Iudicello, Fay
Subject: Fw: Letter for Secretary Salazar

From: Diorio, Daniel (Scott Brown) <Daniel_Diorio@scottbrown.senate.gov>
To: Mansour, Christopher
Sent: Tue Apr 20 12:47:46 2010
Subject: Letter for Secretary Salazar

Christopher,

Attached is a letter from Senator Brown and Congressman Bill Delahunt regarding Secretary Salazar's imminent decisi on the Cape Wind project. Senator Brown and Congressman Delahunt respectfully request that you pass along this letter to the Secretary and that the Secretary give any and all consideration to their requests. A hard copy of the lette has been sent as well.

Regards,

Dan Diorio

Daniel R. Diorio
Legislative Assistant
Senator Scott P. Brown (R-MA)
202-224-4543
202-228-2646 Fax

SCOTT BROWN
MASSACHUSETTS

WASHINGTON, DC 20510
(202) 224-4543

United States Senate

WASHINGTON, DC 20510–2104

March 4, 2010

The Honorable Ken Salazar, Secretary
Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Salazar:

I write to you today to urge you to find a proposed consensus resolution for the longstanding dispute over the Cape Wind project. I hope you will be open to all alternatives to the Cape Wind proposal, including the selection of an alternative site which could offer the best opportunity for a successful outcome for all the parties involved - the developer, the government and stakeholders.

You have stated publicly that there are three fundamentally important national priorities that must be considered equally: the development of renewable energy, historic preservation, and respect for tribal rights. All of these priorities should be honored in the decision making process surrounding Cape Wind. Several groups, including the local Cape communities and the Mashpee Wampanoag have outlined their objections to the project that include the historical value of Nantucket Sound and the disruption of valued tribal ceremonies. I am increasingly concerned that the deficiencies of Cape Wind's proposed site in Nantucket Sound will result in crippling litigation and will be a long-term conflict that places significant burden on taxpayers and increases electric costs for ratepayers.

Therefore, I implore you to examine alternative proposals that do not entail the controversy of the proposed Horseshoe Shoal location and have far fewer negative impacts. I am aware that one alternative has been proposed to your office. While I understand that the federal government cannot explicitly dictate a new site, I encourage you to take the lead in negotiations to openly look at any alternatives that would satisfy opposition and limit the potential for litigation.

I firmly believe that the first and largest offshore wind project in our nation should be a successful and more cost effective proposal than the current Cape Wind project.

Thank you for your attention to this matter. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Scott Brown
United States Senator

EXEC
OFFICE OF THE
2010 MAR 15 PM 2:56
RECEIVED
483425

NIXON PEABODY LLP
ATTORNEYS AT LAW

One Embarcadero Center
18th Floor
San Francisco, California 94111-3600
(415) 984-8200
Fax: (415) 984-8300
Direct Dial: (415) 984-8263
E-Mail: dschwartz@nixonpeabody.com

458829

May 14, 2009

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Blackfeet Tribe
ICWA Representative
P.O. Box 588
Browning, MT 59417

Cherokee Nation of Oklahoma
ICWA Representative
P.O. Box 948
Tahlequah, OK 74465

RECEIVED
2009 MAY 21 PM 1:43

RE: Notice of Child Custody Proceeding for Indian Child

To Whom It May Concern:

Pursuant to the Indian Child Welfare Act, I am writing to notify you of a pending probate guardianship proceeding in San Francisco Superior Court which concerns a child of possible Cherokee heritage.

I have enclosed copies of the Notice of Hearing, Petition for Appointment of Guardian of Minor, Declaration under UCCJEA, and Consent of Guardian forms in this case.

The child who is the subject of this guardianship matter is Non-Responsive The proposed guardian is Non-Responsive [redacted] Non-Responsive [redacted]

An initial guardianship hearing is currently scheduled for Non-Responsive in Department 204. This case is currently before the San Francisco Superior court, Probate Division, 400 McAllister Street, San Francisco, CA 94102. The Court may be reached at (415) 551-4000 Non-Responsive [redacted] Non-Responsive [redacted]

We have obtained the following information that may be of use to you in your investigation into this matter:

Child: Non-Responsive
Date of Birth: Non-Responsive
Place of Birth: Non-Responsive
Currently residing in: Non-Responsive

Mother: Non-Responsive
Date of Birth: Non-Responsive
Place of Birth: Non-Responsive
Currently residing in: Non-Responsive

Father: Non-Responsive
Date of Birth: Non-Responsive
Place of Birth: Non-Responsive
Currently residing in: Non-Responsive

Maternal Grandmother: Non-Responsive
Date of Birth: Non-Responsive
Place of Birth: Non-Responsive
Currently residing in: Non-Responsive

Maternal Grandfather: Non-Responsive
Date of Birth: Non-Responsive
Place of Birth:
Date of Death:
Place of Death

Paternal Grandmother: Non-Responsive
Date of Birth: Non-Responsive
Place of Birth:
Date of Death:
Place of Death

Paternal Grandfather: Non-Responsive
Date of Birth: Non-Responsive
Place of Birth:
Date of Death:
Place of Death

Unfortunately, this is all the ancestral information our office possesses concerning the Native American heritage of the minor.

If the minor is, in fact, affiliated with your tribe, you may have the right to formally intervene in this proceeding. Parents or Indian custodians who participate in this proceeding may have the right to be appointed counsel if they cannot afford to hire an attorney. Upon request, you may be granted a twenty day continuance by the Court in order to prepare for the proceedings. You may also have the right to petition to transfer this case to a Tribal Court.

This proceeding has potential legal consequences for the future custodial and parental rights of parents or Indian custodians of the subject child.

Finally, we ask you to remember that all information contained in this letter and in the enclosed documents should be kept confidential in order to protect the best interests of the child.

Thank you for your assistance, and please contact me at (415) 984-8263 if you have any questions.

Sincerely,

Deborah R. Schwartz
Attorney for the minor

DRS:dm

cc: ✓ Secretary of the Interior (via first class mail)
Bureau of Indian Affairs (via first class mail)

Enclosures: Indian Child Inquiry Attachment
Notice of Child Custody Proceeding for Indian Child
Notice of Hearing – Guardianship
Petition for Appointment of Guardian

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Gregory Schopf (SBN 122862)
Deborah R. Schwartz (SBN 208934)
Nixon Peabody LLP
One Embarcadero Center, 18th Floor
San Francisco, CA 94111
TELEPHONE NO. (415) 984-8200 FAX NO. (Optional) (415) 984-8300
E-MAIL ADDRESS (Optional) gschopf@nixonpeabody.com
ATTORNEY FOR (Name) Non-Responsive

FOR COURT USE ONLY

ENDORSED
FILED
San Francisco County Superior Court
MAY 14 2009
GORDON PARK-LI, Clerk
BY LESLIE GOMEZ
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
STREET ADDRESS: 400 McAllister Street
MAILING ADDRESS:
CITY AND ZIP CODE: San Francisco, CA
BRANCH NAME:

X GUARDIANSHIP CONSERVATORSHIP OF THE X PERSON ESTATE
OF (Name): Non-Responsive
X MINOR (PROPOSED) CONSERVATEE

NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP

CASE NUMBER: Non-Responsive

This notice is required by law.
This notice does not require you to appear in court, but you may attend the hearing if you wish.

1. NOTICE is given that *(name)* Non-Responsive
(representative capacity, if any):
has filed *(specify)*: Petition for Appointment of Guardian of Minor

2. You may refer to documents on file in this proceeding for more information. *(Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.)*

3. ☐ The petition includes an application for the independent exercise of powers by a guardian or conservator under
☐ Probate Code section 2108 ☐ Probate Code section 2590.
Powers requested are ☐ specified below ☐ specified in Attachment 3.

4. A HEARING on the matter will be held as follows:

a. Date: Non-Responsive

b. Address of court X same as noted above ☐ is *(specify)*:

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (Civil Code section 54.8.)

X GUARDIANSHIP CONSERVATORSHIP OF THE X PERSON ESTATE OF (Name) Non-Responsive X MINOR (PROPOSED) CONSERVATEE	CASE NUMBER Non-Responsive

NOTE: *

A copy of this *Notice of Hearing—Guardianship or Conservatorship* ("Notice") must be "served" on—delivered to—each person who has the right under the law to be notified of the date, time, place, and purpose of a court hearing in a guardianship or conservatorship. Copies of this Notice may be served by mail in most situations. In a guardianship, however, copies of this Notice must sometimes be personally served on certain persons; and copies of this Notice may be personally served instead of served by mail in both guardianships and conservatorships. The petitioner (the person who requested the court hearing) **may not personally perform either service by mail or personal service**, but must show the court that copies of this Notice have been served in a way the law allows. The petitioner does this by arranging for someone else to perform the service and complete and sign a proof of service, which the petitioner then files with the original Notice.

This page contains a proof of service that may be used only to show service by mail. To show personal service, each person who performs the service must complete and sign a proof of personal service, and each signed copy of that proof of service must be attached to this Notice when it is filed with the court. You may use form GC-020(P) to show personal service of this Notice.

* *(This Note replaces the clerk's certificate of posting on prior versions of this form. If notice by posting is desired, attach a copy of form GC-020(C),* Clerk's Certificate of Posting Notice of Hearing—Guardianship or Conservatorship. *(See Prob. Code, § 2543(c).)*

PROOF OF SERVICE BY MAIL

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is *(specify)*:
3. I served the foregoing *Notice of Hearing—Guardianship or Conservatorship* on each person named below by enclosing a copy in an envelope addressed as shown below AND
   a. **depositing** the sealed envelope with the United States Postal Service on the date and at the place shown in item 4 with the postage fully prepaid.
   b. X **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date mailed: 5/14/09 b. Place mailed *(city, state)*: San Francisco, CA
5. X I served with the *Notice of Hearing—Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5/14/09

Deborah Schwartz
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

	Name of person served	Address *(number, street, city, state, and zip code)*
1.	Non-Responsive	
2.		
3.		
4.		

X Continued on an attachment. *(You may use form DE-120(MA)/GC-020(MA) to show additional persons served.)*

ESTATE X GUARDIANSHIP CONSERVATORSHIP MATTER OF (Name Non-Responsive	CASE NUMBER Non-Responsive

ATTACHMENT TO NOTICE OF HEARING PROOF OF SERVICE BY MAIL

(This Attachment is for use with forms DE-120 and GC-020.)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

No.	Name of person served	Address *(number, street, city, state, and zip code)*
5	Non-Responsive	
6		
7		
8		
9		
10	Bureau of Indian Affairs	2800 Cottage Way Sacramento, CA 94120
11	Blackfeet Tribe ICWA Representative	P.O. Box 588 Browning, MT 59417
	Cherokee Nation of Oklahoma ICWA Representative	P.O. Box 948 Tahlequah, OK 74465
	The Secretary of the Interior	1849 C Street, N.W. Washington, D.C. 20240

Form Approved for Optional Use
Judicial Council of California
DE-120(MA)/GC-020(MA)
[New July 1, 2005]

Legal Solutions Plus

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Gregory Schopf (SBN 122862)
Deborah R. Schwartz (SBN 208934)
Nixon Peabody LLP
One Embarcadero Center, 18th Floor
San Francisco, CA 94111
TELEPHONE NO. (415) 984-8200 FAX NO. (Optional) (415) 984-8300
E-MAIL ADDRESS (Optional) gschopf@nixonpeabody.com
ATTORNEY FOR (Name) Non-Responsive

FOR COURT USE ONLY

ENDORSED
FILED
San Francisco County Superior Court
MAY 14 2009
GORDON PARK-LI, Clerk
BY LESLIE GOMEZ, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
STREET ADDRESS 400 McAllister Street
MAILING ADDRESS
CITY AND ZIP CODE San Francisco, CA
BRANCH NAME

X GUARDIANSHIP CONSERVATORSHIP OF THE X PERSON ESTATE

OF (Name) Non-Responsive

X MINOR (PROPOSED) CONSERVATEE

NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP

CASE NUMBER Non-Responsive

This notice is required by law.
This notice does not require you to appear in court, but you may attend the hearing if you wish.

1. NOTICE is given that *(name)* Non-Responsive
(representative capacity, if any):
has filed *(specify):* Petition for Appointment of Guardian of Minor

2. You may refer to documents on file in this proceeding for more information. *(Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.)*

3. ☐ The petition includes an application for the independent exercise of powers by a guardian or conservator under
☐ Probate Code section 2108 ☐ Probate Code section 2590.
Powers requested are ☐ specified below ☐ specified in Attachment 3.

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a. Date: Non-Responsive

b. Address of court X same as noted above ☐ is *(specify):*

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (Civil Code section 54.8.)

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A copy of this *Notice of Hearing—Guardianship or Conservatorship* ("Notice") must be "served" on—delivered to—each person who has the right under the law to be notified of the date, time, place, and purpose of a court hearing in a guardianship or conservatorship. Copies of this Notice may be served by mail in most situations. In a guardianship, however, copies of this Notice must sometimes be personally served on certain persons; and copies of this Notice may be personally served instead of served by mail in both guardianships and conservatorships. The petitioner (the person who requested the court hearing) **may not personally perform either service by mail or personal service**, but must show the court that copies of this Notice have been served in a way the law allows. The petitioner does this by arranging for someone else to perform the service and complete and sign a proof of service, which the petitioner then files with the original Notice.

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PROOF OF SERVICE BY MAIL

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is *(specify)*:
3. I served the foregoing *Notice of Hearing—Guardianship or Conservatorship* on each person named below by enclosing a copy in an envelope addressed as shown below AND
   a. **depositing** the sealed envelope with the United States Postal Service on the date and at the place shown in item 4 with the postage fully prepaid.
   b. X **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date mailed: 5/14/09 b. Place mailed *(city, state)*: San Francisco, CA
5. X I served with the *Notice of Hearing—Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5/14/09

Deborah Schwartz
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

Name of person served	Address *(number, street, city, state, and zip code)*
1. Non-Responsive	
2.	
3.	
4.	

X Continued on an attachment. *(You may use form DE-120(MA)/GC-020(MA) to show additional persons served.)*

ESTATE X GUARDIANSHIP CONSERVATORSHIP MATTER OF (Name) Non-Responsive	CASE NUMBER Non-Responsive

ATTACHMENT TO NOTICE OF HEARING PROOF OF SERVICE BY MAIL

(This Attachment is for use with forms DE-120 and GC-020.)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

No.	Name of person served	Address *(number, street, city, state, and zip code)*
5	Non-Responsive	
6		
7		
8		
9		
10	Bureau of Indian Affairs	2800 Cottage Way Sacramento, CA 94120
11	Blackfeet Tribe ICWA Representative	P.O. Box 588 Browning, MT 59417
	Cherokee Nation of Oklahoma ICWA Representative	P.O. Box 948 Tahlequah, OK 74465
	The Secretary of the Interior	1849 C Street, N.W. Washington, D.C. 20240

Form Approved for Optional Use
Judicial Council of California
DE-120(MA)/GC-020(MA)
[New July 1, 2005]

Legal Solutions Plus

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Gregory L. Schopf (SBN 122862)
Deborah R. Schwartz (SBN 208934)
Nixon Peabody LLP
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TELEPHONE NO.: (415) 984-8200 FAX NO. (Optional): (415) 984-8300
E-MAIL ADDRESS (Optional): gschopf@nixonpeabody.com
ATTORNEY FOR (Name): Non-Responsive

FOR COURT USE ONLY

ENDORSED
FILED
San Francisco County Superior Court
MAY 14 2009
GORDON PARK-LI, Clerk
BY LESLIE GOMEZ, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
STREET ADDRESS: 400 McAllister
MAILING ADDRESS:
CITY AND ZIP CODE: San Francisco, CA 94102
BRANCH NAME:

GUARDIANSHIP OF (Name): Non-Responsive MINOR Non-Responsive

PETITION FOR APPOINTMENT OF GUARDIAN OF X MINOR MINORS
X Person* Estate*

HEARING DATE AND TIME: Non-Responsive DEPT.: Non-Responsive

1. Petitioner (name each): Non-Responsive requests that

a. X (Name): Non-Responsive
(Address and telephone): Non-Responsive
be appointed guardian of the PERSON of the minor or minors named in item 2 and Letters issue upon qualification.

b. (Name):
(Address and telephone):
be appointed guardian of the ESTATE of the minor or minors named in item 2 and Letters issue upon qualification.

c. (1) X bond not be required X because the petition is for guardian of the person only because the proposed guardian is a corporate fiduciary or an exempt government agency for the reasons stated in Attachment 1c.

(2) $ bond be fixed. It will be furnished by an authorized surety company or as otherwise provided by law. *(Specify reasons in Attachment 1c if the amount is different from the minimum required by Prob. Code, § 8482.)*

(3) $ in deposits in a blocked account be allowed. Receipts will be filed. *(Specify institution and location):*

d. ☐ authorization be granted under Probate Code section 2590 to exercise the powers specified in Attachment 9.

e. ☐ orders relating to the powers and duties of the proposed guardian of the person under Probate Code sections 2351–2358 be granted *(specify orders, facts, and reasons in Attachment 1e).*

f. an order dispensing with notice to the persons named in Attachment 10 be granted.

g. other orders be granted *(specify in Attachment 1g).*

2. Attached is a copy of *Guardianship Petition—Child Information Attachment* (form GC-210(CA)) for each minor for whom this petition requests the appointment of a guardian. The full legal name and date of birth of each minor is:

a. Name: Non-Responsive Date of Birth *(month/day/year)*: Non-Responsive

b. Name: Date of Birth *(month/day/year)*:

c. Name: Date of Birth *(month/day/year)*:

d. Name: Date of Birth *(month/day/year)*:

☐ The names and dates of birth of additional minors are specified on Attachment 2 to this petition.

* You MAY use this form or form GC-210P for a guardianship of the person. You MUST use this form for a guardianship of the estate or the person and estate. Do NOT use this form for a temporary guardianship.

Form Adopted for Mandatory and Alternative Mandatory Use Instead of Form GC-210(P)
Judicial Council of California
GC-210 [Rev. January 1, 2007]

PETITION FOR APPOINTMENT OF GUARDIAN OF MINOR
(Probate—Guardianships and Conservatorships)

Legal Solutions Plus

Probate Code, § 1510;
Cal. Rules of Court, rule 7.101

GUARDIANSHIP OF (Name): Non-Responsive

MINOR

CASE NUMBER: Non-Responsive

3. Petitioner is
   a. Non-Responsive related to the minor or minors named in item 2, as shown in item 7 of each minor's attached form GC-210(CA).
   b. the minor named in item 2, who is 12 years of age or older.
   c. other person on behalf of minor or minors named in item 2, as shown in item 7 of each minor's attached form GC-210(CA).
4. The proposed guardian is *(check all that apply)*:
   a. Non-Responsive a nominee *(affix a copy of nomination as Attachment 4 or file* Nomination of Guardian (form GC-211, items 2 and 3) with this petition.
   b. related to the minor or minors named in item 2, as shown in item 3 of each minor's attached form GC-210(CA).
   c. other, as shown in item 3 of each minor's attached form GC-210(CA).
5. ☐ Petitioner, with intent to adopt, has accepted or intends to accept physical care or custody of the minor.
6. A person other than the proposed guardian has been nominated as the guardian of the minor by ☐ will ☐ other writing. A copy of the nomination is affixed as Attachment 6. *(Specify name and address of nominee in item 2 of minor's attached form GC-210(CA).)*
7. ☐ **Character and estimated value of property of the estate** *(complete if petition requests appointment of a guardian of the estate or the person and estate)*:
   a. Personal property: $
   b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: $ _____
   c. **Total:** $ _____
   d. Real property: $
8. Appointment of a guardian of the X person ☐ estate ☐ of the minor or minors named in item 2 is necessary or convenient for the following reasons: Non-Responsive Non-Responsive

Non-Responsive

☐ Continued in Attachment 8. ☐ Parental custody would be detrimental to the minor or minors named in item 2.

9. ☐ Granting the proposed guardian of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the guardianship estate. Reasons for this request and the powers requested are specified in Attachment 9.
10. ☐ Notice to the persons named in Attachment 10 should be dispensed with under Probate Code section 1511 because
    ☐ they cannot with reasonable diligence be given notice *(specify names and efforts to locate in Attachment 10)*.
    ☐ giving notice to them would be contrary to the interest of justice *(specify names and reasons in Attachment 10)*.

GUARDIANSHIP OF (Name) Non-Responsive MINOR Non-Responsive	CASE NUMBER

11. ☐ *(Complete this item if this petition is filed by a person who is not related to a minor named in item 2 and is not a petition for appointment of a guardian of the estate only.)*

a. Petitioner is the proposed guardian and will promptly furnish all information requested by any agency referred to in Probate Code section 1543.

b. X Petitioner is not the proposed guardian. A statement by the proposed guardian that he or she will promptly furnish all information requested by any agency referred to in Probate Code section 1543 is affixed as Attachment 11b.

c. The proposed guardian's home is is not a licensed foster family home.

d. The proposed guardian has never filed a petition for adoption of the minor except as specified in Attachment 11d.

12. X Attached to this petition is a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105/GC-120) concerning all children listed in item 2. *(Guardianship of the person or the person and estate.)*

13. Filed with this petition are the following *(check all that apply)*:

Non-Responsive

Consent of Proposed Guardian (form GC-211, item 1)
Nomination of Guardian (form GC-211, items 2 and 3)
Consent to Appointment of Guardian and Waiver of Notice (form GC-211, item 4)
Petition for Appointment of Temporary Guardian (form GC-110)
Petition for Appointment of Temporary Guardian of the Person (form GC-110(P))
Confidential Guardianship Screening Form (form GC-212)
Other *(specify)*:

14. All attachments to this form are incorporated by this reference as though placed here in this form. There are 1 pages attached to this form.

Date: May 11, 2009

▶ (SIGNATURE OF ATTORNEY*)

* (All petitioners must also sign (Prob. Code, § 1020).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 11, 2009

Non-Responsive
(TYPE OR PRINT NAME)

▶ Non-Responsive
(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

▶ (SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

▶ (SIGNATURE OF PETITIONER)

ATTACHMENT 11(b)
to
Petition for Appointment of Guardian of Minor
(Probate – Guardianships and Conservatorships)

I, Non-Responsive the proposed guardian, will promptly furnish upon request all information requested by any agency referred to in § 1543 of the Probate Code.

Non-Responsive

Dated: May 11, 2009 By [redacted]

GC-210(CA) Guardianship Petition—Child Information Attachment

Case Number: Non-Responsive

Guardianship of *(all children's names)* Non-Responsive

This child's name: Non-Responsive

Fill out a separate copy of this form for **each** child for whom you want the court to appoint a guardian.

This form is attached to the Petition, X **item 2 of form GC-210, or item 8 of form GC-210(P).**

The Petition asks for the appointment of a guardian of this child's *(specify)*: X person estate person and estate

1 Tell the court about this child

a. Child's full legal name Non-Responsive Date of birth Non-Responsive
First Middle Last *Month/Day/Year*

b. Child's current address: Non-Responsive

c. ***(Answer the questions in item c only if the Petition to which this form is attached asks for the appointment of a guardian of this child's person or this child's person and estate.)***

(1) Is this child a member of, or eligible for membership in, an Indian tribe recognized by the federal government? No X Not sure Yes *(specify tribe)*: _____
(If you checked "Yes" at item (1), this guardianship case is subject to the Indian Child Welfare Act *("ICWA") (25 U.S.C. § 1901, et seq.). If you checked "Not sure" or "No" to item (1), answer item (2)).*

(2) Do you know or have reason to know (within the meaning of Prob. Code, § 1460.2, Welf. & Inst. Code, § 224.3, and rule 7.1015 of the Cal. Rules of Court), that this child may be an Indian child?

No X Yes *(If you checked "Yes" to either item (1) or item (2), you must fill out a* Notice of Child Custody Proceeding for Indian Child *(Form ICWA-030) (* "Notice"*). Your attorney must serve copies of the* Notice, *together with copies of your petition and all attachments, including this form, on the child's parents; any Indian custodian (as defined in ICWA, at 25 U.S.C. § 1903, and Probate Code section 1449); any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs; and possibly the U.S. Secretary of the Interior, by certified or registered U.S. mail, return receipt requested. If you are not represented by an attorney in this case, the court will serve copies of these papers, but you must first fill out the original* Notice *and deliver it to the court. After service, the original* Notice *and all return receipts must be filed with the court. Service of the* Notice *is in addition to service of any other notices required in this case.)*

d. Is this child married? Yes No X Never married If you checked "No," was this child formerly married but the marriage was dissolved or ended in divorce? Yes No
(The court cannot appoint a guardian of the person for a minor child who is married or whose marriage was dissolved or ended in divorce.)

e. Is this child receiving public assistance? Yes X No Unknown *(If you checked "Yes," fill out below.)*

Type of Aid	Monthly Benefit	Type of Aid	Monthly Benefit
TANF (Temporary Asst. for Needy Families)	$	Other *(explain)*:	$
Social Security	$	Other *(explain)*:	$
Dept. Veterans Affairs Benefits	$		

f. Name and address of the person with *legal* custody of this child: Non-Responsive
Non-Responsive

Legal Solutions Plus

Guardianship of *(all children's names)*: Non-Responsive

Case Number: Non-Responsive

This child's name: Non-Responsive

(1) **Tell the court about this child (continued)**

g. X *(Check this box and fill out below if the person the child lives with is not the person with legal custody.)* Name and address of the person this child lives with (has the care of the child): Non-Responsive Non-Responsive

h. *(Check this box if this child has been involved in an adoption, juvenile court, marriage dissolution (divorce), domestic relations, custody, or other similar court case.)* Describe the court case below:

Type of Case	Court District or County and State	Case Number (if known)

i. *(Check this box if this child is in or on leave from an institution supervised by the California Department of Developmental Services or the California Department of Mental Health.)* Write the name of the institution here: _____

(2) **List the names and addresses of this child's relatives and other persons shown below:**

Relationship	Name	Home Address (Street, City, State, Zip)
Father	Non-Responsive	Non-Responsive
Mother		
Grandfather (Father's father)		
Grandmother (Father's mother		
Grandfather (Mother's father		
Grandmother (Mother's mothe		
Brother/Sister		
Brother/Sister		
Brother/Sister		

Guardianship of *(all children's names)* Non-Responsive

Case Number: Non-Responsive

This child's name: Non-Responsive

(2) Names and addresses of this child's relatives and other persons (continued):

Relationship	Name	Home Address (Street, City, State, Zip)
Brother/Sister	Non-Responsive	
Brother/Sister		

☐ *Check here if this child has additional brothers or sisters, including half-brothers and half-sisters, and list their names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Item 2:—Other Siblings" at the top of the paper and attach it to this form.*

Spouse *(Guardianship of the estate only)*		
Person nominated as guardian of this child *(Other than a proposed guardian listed in (3))*		

(3) **Information about the proposed guardian:**

a. Name *(name all proposed guardians if more than one)*: Non-Responsive

b. Relationship(s) to the child named in (1) *(check all that apply)*:

X Relative *(specify relationships of all proposed guardians to the child)*: Non-Responsive

☐ Not a relative *(explain interest in or connection to this child)*:

(4) *Explain why appointing the person in (3) guardian would be best for this child:* Non-Responsive

Non-Responsive

☐ *Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 4:—Best Interest of Child" at the top of the paper and attach it to this form.*

Guardianship of *(all children's names)*: Non-Responsive

Case Number: Non-Responsive

This child's name: Non-Responsive

(5) Do one or both of this child's parents agree that the person in (3) can be the child's guardian?

a. Father: Non-Responsive Yes No Non-Responsive Not known at this time. Non-Responsive

b. Mother Yes No Not known at this time.

(You may file a filled-out Consent to Appointment of Guardian and Waiver of Notice *(form GC-211, item 4) signed by the child's parent or parents (or any adult relative listed in (2)) who agree. The court may excuse you from having to give notice of the court hearing on your request for appointment of a guardian to a parent or other relative who signs that form.)*

(6) **Suitability for guardianship of this child**

a. Does this child live with the person in (3) now? Non-Responsive Yes Non-Responsive No

b. If the court approves the guardianship, will this child live with the person in (3)? Yes No

c. Does the person in (3) plan to adopt this child now? Yes No

(7) **Check this box if you (the petitioner) are *not* the person in (3), and fill in below.**

Your relationship to this child:

Relative *(specify)*: _____

Not a relative *(explain your interest in or connection to this child)*: _____

(8) Except as otherwise stated in this form, the statements made in the Petition to which this form is attached fully apply to this child.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Gregory L. Schopf (SBN 122862)
Deborah R. Schwartz (SBN 208934)
Nixon Peabody LLP
One Embarcadero Center, 18th Floor
San Francisco, CA 94111
TELEPHONE NO. 415 984-8200 FAX NO. (Optional) 415 984-8300
E-MAIL ADDRESS (Optional) gschopf@nixonpeabody.com
ATTORNEY FOR (Name) Non-Responsive

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
STREET ADDRESS 400 McAllister
MAILING ADDRESS
CITY AND ZIP CODE San Francisco, CA 94102
BRANCH NAME
TELEPHONE NO.

CASE NAME: Petition for Guardianship of Non-Responsive Non-Responsive

CASE NUMBER: Non-Responsive

HEARING DATE: Non-Responsive DEPT.:

NOTICE OF CHILD CUSTODY PROCEEDING FOR INDIAN CHILD *(check all that apply)*:

JUVENILE Dependency Delinquency
ADOPTION CONSERVATORSHIP * CUSTODY (Fam. Code, § 3041)
DECLARATION OF FREEDOM FROM CONTROL OF PARENT X GUARDIANSHIP
TERMINATION OF PARENTAL RIGHTS VOLUNTARY RELINQUISHMENT OF CHILD BY PARENT

NOTICE TO *(check all that apply)*:

X Parents or Legal Guardians X Tribes Indian Custodians X Sacramento Area Director, BIA

X Secretary of the Interior

1. NOTICE is given that based on the petition, a copy of which is attached to this notice, a child custody proceeding under the Indian Child Welfare Act (25 U.S.C. § 1901 et seq.) has been initiated for the following child *(a separate notice must be filed for each child)*:

Name Date of Birth Place of Birth

Non-Responsive

2. HEARING INFORMATION

Non-Responsive

b. Address and telephone number of court X same as noted above is *(specify)*:

3. The child is or may be eligible for membership in the following Indian tribes *(list each)*:

Blackfeet Tribe and Cherokee Nation of Oklahoma

* Use this form in a conservatorship only if the proposed conservatee is a formerly married minor.

Form Adopted for Mandatory Use
Judicial Council of California
ICWA-030 [New January 1, 2008]

Legal Solutions Plus

25 U.S.C. § 1901 et seq.;
Welfare & Institutions Code, §§ 224.2, 224.3;
Probate Code, §§ 1449, 1459.5, 1460.2;
Cal. Rules of Court, rules 5.480–5.487 and 7.1015

CASE NAME: Petition for Guardianship of Non-Responsive Non-Responsive	CASE NUMBER Non-Responsive

4. Under the Indian Child Welfare Act (ICWA) and California law:
   a. The child's parents, Indian custodian, and the child's tribe have the right to be present at all hearings.
   b. The child's Indian custodian and the child's tribe have the right to intervene in the proceedings when ICWA applies.
   c. The child's parent, Indian custodian, or tribe may petition the court to transfer the case to the tribal court of the Indian child's tribe. The child's parent or tribe also have the right to refuse to have the case transferred to the tribal court.
   d. With the limited exceptions of the detention hearing in juvenile cases and the jurisdiction and disposition hearings in delinquency cases as identified in rule 5.482, the court will give up to 20 days from the time of the scheduled hearing if the child's parent, Indian custodian, or tribe request such time to prepare for the hearing.
   e. The proceedings could lead to the removal of the child from the custody of the parent or Indian custodian and possible adoption of the child.
   f. If the child's parents or Indian custodian have a right to be represented by a lawyer and if they cannot afford to hire one, a lawyer will be appointed for them.
   g. The information contained in this notice and all attachments is confidential. Any tribal representative or agent or any other person or entity receiving this information must maintain the confidentiality of this information and not reveal it to anyone who does not need the information in order to exercise the tribe's rights under the Indian Child Welfare Act (25 U.S.C. § 1901 et seq.).
   h. An Indian custodian is any person who has legal custody of the child under tribal law or custom or state law, or to whom temporary physical custody, care, and control of the child has been transferred by a parent.

5. INFORMATION ON THE CHILD NAMED IN 1
   a. The child's birth certificate is [X] attached [ ] unavailable
   b. A copy of the tribal registration card of [ ] the child [ ] the parent [ ] is attached.
   c. Biological relative information is listed below. *(Indicate if any of the information requested below is unknown or does not apply. Do not use the abbreviation "N/A".) (Required by Fam. Code, § 180; Prob. Code, § 1460.2; and Welf. & Inst. Code, § 224.2.)*

Biological Mother	Biological Father
Name *(include maiden, married, and former names or aliases)*: Non-Responsive	Name *(include former names or aliases)*: Non-Responsive
Current address: Non-Responsive	Current address: Non-Responsive Non-Responsive
Former address: Non-Responsive	Former address: Non-Responsive
Birth date and place: Non-Responsive Non-Responsive	Birth date and place: Non-Responsive
Tribe or band, and location: Non-Responsive	Tribe or band, and location: Non-Responsive
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known: Non-Responsive
If deceased, date and place of death: Non-Responsive Non-Responsive	If deceased, date and place of death: Non-Responsive
Additional information:	Additional information:

CASE NAME: Petition for Guardianship of Non-Responsive	CASE NUMBER Non-Responsive

5. c. INFORMATION ON THE CHILD NAMED IN 1

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Mother's Biological Mother (Child's Maternal Grandmother)	Father's Biological Mother (Child's Paternal Grandmother)
Name *(include maiden, married, and former names or aliases)*: Non-Responsive	Name *(include maiden, married, and former names or aliases)*: Non-Responsive
Current address: Non-Responsive Non-Responsive	Current address: Non-Responsive
Former address: Non-Responsive Non-Responsive	Former address: Non-Responsive
Birth date and place: Non-Responsive Non-Responsive	Birth date and place: Non-Responsive
Tribe or band, and location: Non-Responsive	Tribe or band, and location: Non-Responsive
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known: Non-Responsive
If deceased, date and place of death: Non-Responsive	If deceased, date and place of death: Non-Responsive Non-Responsive

Mother's Biological Father (Child's Maternal Grandfather)	Father's Biological Father (Child's Paternal Grandfather)
Name *(include former names or aliases)*: Non-Responsive	Name *(include former names or aliases)*: Non-Responsive
Current address: Non-Responsive	Current address: Non-Responsive
Former address: Non-Responsive	Former address: Non-Responsive
Birth date and place: Non-Responsive	Birth date and place: Non-Responsive
Tribe or band, and location: Non-Responsive	Tribe or band, and location: Non-Responsive
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known: Non-Responsive
If deceased, date and place of death: Non-Responsive Non-Responsive	If deceased, date and place of death: Non-Responsive Non-Responsive

CASE NAME: Petition for Guardianship of Non-Responsive Non-Responsive	CASE NUMBER: Non-Responsive

5. d. INFORMATION ON THE CHILD NAMED IN 1

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Mother's Biological Grandmother (Child's Maternal Great-grandmother)	Mother's Biological Grandmother (Child's Maternal Great-grandmother)
Name *(include maiden, married, and former names or aliases)*: Non-Responsive	Name *(include maiden, married, and former names or aliases)*: Unknown
Current address: Non-Responsive	Current address: Non-Responsive
Former address: Non-Responsive	Former address: Non-Responsive
Birth date and place: Non-Responsive	Birth date and place: Non-Responsive
Tribe or band, and location: Non-Responsive	Tribe or band, and location: Non-Responsive
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known: Non-Responsive
If deceased, date and place of death: Non-Responsive	If deceased, date and place of death: Non-Responsive

Mother's Biological Grandfather (Child's Maternal Great-grandfather)	Mother's Biological Grandfather (Child's Maternal Great-grandfather)
Name *(include former names or aliases)*: Non-Responsive	Name *(include former names or aliases)*: Non-Responsive
Current address: Non-Responsive	Current address: Non-Responsive
Former address: Non-Responsive	Former address: Non-Responsive
Birth date and place: Non-Responsive	Birth date and place: Non-Responsive
Tribe or band, and location: Non-Responsive	Tribe or band, and location: Non-Responsive
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known: Non-Responsive
If deceased, date and place of death: Non-Responsive	If deceased, date and place of death: Non-Responsive

CASE NAME Petition for Guardianship of Non-Responsive Non-Responsive	CASE NUMBER Non-Responsive

5. e. INFORMATION ON THE CHILD NAMED IN 1

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Father's Biological Grandmother (Child's Paternal Great-grandmother)	Father's Biological Grandmother (Child's Paternal Great-grandmother)
Name *(include maiden, married, and former names or aliases)*: Non-Responsive	Name *(include maiden, married, and former names or aliases)*: Non-Responsive
Current address: Non-Responsive	Current address: Non-Responsive
Former address: Non-Responsive	Former address: Non-Responsive
Birth date and place: Non-Responsive	Birth date and place: Non-Responsive
Tribe or band, and location: Non-Responsive	Tribe or band, and location: Non-Responsive
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known: Non-Responsive
If deceased, date and place of death: Non-Responsive	If deceased, date and place of death: Non-Responsive

Father's Biological Grandfather (Child's Paternal Great-grandfather)	Father's Biological Grandfather (Child's Paternal Great-grandfather)
Name *(include former names or aliases)*: Non-Responsive	Name *(include former names or aliases)*: Non-Responsive
Current address: Non-Responsive	Current address: Non-Responsive
Former address: Non-Responsive	Former address: Non-Responsive
Birth date and place: Non-Responsive	Birth date and place: Non-Responsive
Tribe or band, and location: Unknown	Tribe or band, and location: Non-Responsive
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known: Non-Responsive
If deceased, date and place of death: Non-Responsive	If deceased, date and place of death: Non-Responsive

CASE NAME Petition for Guardianship of Non-Responsive Non-Responsive	CASE NUMBER Non-Responsive

5. f. **INFORMATION ON THE CHILD NAMED IN 1**
(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Indian Custodian Information	Indian Custodian Information
Name *(include maiden, married, and former names or aliases)*: Non-Responsive	Name *(include maiden, married, and former names or aliases)*:
Current address: Non-Responsive Non-Responsive	Current former address:
Former address: Non-Responsive Non-Responsive	Former address:
Birth date and place: Non-Responsive Non-Responsive	Birth date and place:
Tribe or band, and location: Non-Responsive	Tribe or band, and location:
Tribal membership or enrollment number, if known: Non-Responsive	Tribal membership or enrollment number, if known:

6. **ADDITIONAL INFORMATION ON CHILD NAMED IN 1**
(Indicate if any of the information requested below is unknown.)

a. Non-Responsive Biological birth father is named on birth certificate. Unknown
b. Biological birth father has acknowledged parentage. Unknown
c. There has been a judicial declaration of parentage. Unknown
d. Other alleged father *(name each)*:

Unknown

The following optional questions may be helpful in tracing the ancestry of the child in 1.

7. Has the child in 1 or any members of his or her family ever *(if "yes," provide the information requested below)*:

a. Attended an Indian school? Yes X No Unknown

Name/relationship to child	Type of school	Dates attended	Name and location of school

CASE NAME: Petition for Guardianship of Non-Responsive Non-Responsive	CASE NUMBER Non-Responsive

b. Received medical treatment at an Indian health clinic or U.S. Public Health Service hospital?

Yes X No Unknown

Name/relationship to child	Type of treatment	Dates of treatment	Location where treatment given

c. Lived on federal trust land, a reservation or rancheria, or an allotment? Yes X No Unknown

Name/relationship to child	Name/description of property and address	Dates of residence

d. Other relative information *(e.g., aunts, uncles, siblings, first and second cousins, stepparents, etc.)*

Name/relationship to child	Current and former address	Birth date and place	Tribe, band, and location
Non-Responsive			

8. Tribal affiliation and location of child in 1 *(check all that apply)*:

a. 1906 Final Roll Name of relative listed on roll:
Relationship to child in 1:

b. Roll of 1924 Name of relative listed on roll:
Relationship to child in 1:

c. California Judgment Roll. Roll number, if known:

CASE NAME Petition for Guardianship of Non-Responsive Non-Responsive	CASE NUMBER Non-Responsive

9. Additional party information *(list the name, mailing address, and telephone number of all parties notified)*:

Name	Mailing Address	Telephone Number
Non-Responsive		

DECLARATION

(To be completed, dated, and signed in all cases by each petitioner named in companion petition.)

I am the petitioner or we are all of the petitioners in this proceeding. In response to items 5–9 of this form, I/we have given all information I/we have about the relatives and, if applicable, the Indian custodian, of the child named in item 1 of this form.

I/We declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date: May 11, 2009

Non-Responsive

(TYPE OR PRINT NAME) ▶ Non-Responsive

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

CASE NAME: Petition for Guardianship of Non-Responsive Non-Responsive	CASE NUMBER: Non-Responsive

CERTIFICATE OF MAILING—JUVENILE COURT PROCEEDINGS

(To be completed by social worker or probation officer.)

I certify that a copy of the *Notice of Child Custody Proceeding for Indian Child*, with a copy of the petition identified on page 1 of this form, was mailed as follows. Each copy was enclosed in an envelope with postage for registered or certified mail, return receipt requested, fully prepaid. The envelopes were addressed to each person, tribe, or agency as indicated below. (Except that the telephone numbers shown below were not placed on the envelopes. They are shown below because they must be disclosed in the *Notice* under Family Code section 180, Probate Code section 1460.2, and Welfare and Institutions Code section 224.2.) Each envelope was sealed and deposited with the United States Postal Service at *(place)*:
on *(date)*:

Date: Title: Department:

(TYPE OR PRINT NAME) (SIGNATURE)

DECLARATION OF MAILING—ADOPTION, FAMILY LAW, AND PROBATE PROCEEDINGS

(To be completed by the attorney for Petitioner if Petitioner is represented.)

I am an attorney at law, admitted to practice in the courts of the State of California, and attorney for Petitioner in this matter. I declare that a copy of the *Notice of Child Custody Proceeding for Indian Child*, with a copy of the petition identified on page 1 of this form, was mailed as follows. Each copy was enclosed in an envelope with postage for registered or certified mail, return receipt requested, fully prepaid. The envelopes were addressed to each person, tribe, or agency as indicated below. (Except that the telephone numbers shown below were not placed on the envelopes. They are shown below because they must be disclosed in the *Notice* under Family Code section 180, Probate Code section 1460.2, and Welfare and Institutions Code section 224.2.) Each envelope was sealed and deposited with the United States Postal Service at *(place)*: on *(date)*:

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date: May 14, 2009

Deborah R. Schwartz
(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY)

CERTIFICATE OF MAILING—PROBATE PROCEEDINGS

(To be completed by the clerk of the court if Petitioner is unrepresented.)

I certify that a copy of the *Notice of Child Custody Proceeding for Indian Child*, with a copy of the petition, was mailed as follows. Each copy was enclosed in an envelope with postage for registered or certified mail, return receipt requested, fully prepaid. The envelopes were addressed to each person, tribe, or agency as indicated below. (Except that the telephone numbers shown below were not placed on the envelopes. They are shown below because they must be disclosed in the *Notice* under Family Code section 180, Probate Code section 1460.2, and Welfare and Institutions Code section 224.2.) Each envelope was sealed and deposited with the United States Postal Service at *(place)*: on *(date)*:

Date: Title: Department:

(TYPE OR PRINT NAME) (SIGNATURE)

This form and all return receipts must be filed with the court.

CASE NAME Petition for Guardianship of Non-Responsive Non-Responsive

CASE NUMBER Non-Responsive

NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ALL PERSONS, TRIBES, OR AGENCIES TO WHOM NOTICE WAS MAILED

1. Parent *(Name)*: Non-Responsive
Street address:
Mailing address:
City, state and zip code:
Telephone number:

2. X Parent *(Name)*: Non-Responsive
Street address:
Mailing address:
City, state and zip code:
Telephone number:

3. X Guardian *(Name)*:
Street address:
Mailing address:
City, state and zip code:
Telephone number:

4. Guardian *(Name)*:
Street address:
Mailing address:
City, state and zip code:
Telephone number:

5. Indian Custodian *(Name)*:
Street address:
Mailing address:
City, state and zip code:
Telephone number:

6. Indian Custodian *(Name)*:
Street address:
Mailing address:
City, state and zip code:
Telephone number:

7. X Sacramento Area Director
Bureau of Indian Affairs
Street address: 2800 Cottage Way
City and zip code: Sacramento, CA 95825
Telephone number:

8. X Secretary of the Interior
U.S. Department of the Interior
Street address: 1849 C Street, N.W.
City, state and zip code: Washington D.C. 20240
Telephone number:

9. X Tribe *(Name)*: Blackfeet Tribe
Addressee *(Name)*: ICWA Representative
Title:
Street address:
Mailing address: P.O. Box 588
City, state and zip code: Browning, MT 59417
Telephone number:

10. X Tribe *(Name)*: Cherokee Nation of Oklahoma
Addressee *(Name)*: ICWA Representative
Title:
Street address:
Mailing address: P.O. Box 948
City, state and zip code: Tahlequah, OK 74465
Telephone number:

11. Tribe *(Name)*:
Addressee *(Name)*:
Title:
Street address:
Mailing address:
City, state and zip code:
Telephone number:

12. Tribe *(Name)*:
Addressee *(Name)*:
Title:
Street address:
Mailing address:
City, state and zip code:
Telephone number:

Note: Notice to the tribe must be sent to the tribe chairman or designated authorized agent for service.

Additional tribes served listed on attached form ICWA-030(A)

CERTIFICATION OF VITAL RECORD

CITY OF BERKELEY

HEALTH AND HUMAN SERVICES

Non-Responsive

CHILD'S NAME: Non-Responsive	CASE NUMBER: Non-Responsive

1. Name of child: Non-Responsive

Indian child inquiry X made not made and *(check all that apply)*:

a. X The child is or may be a member of or eligible for membership in a tribe.

Name of tribe(s): Cherokee and Blackfeet

Name of band *(if applicable)*: Cherokee Nation of Oklahoma

b. The child's parents, grandparents, or great-grandparents are or were members of a tribe.

Name of tribe(s): _____

Name of band *(if applicable)*: _____

c. ☐ The residence or domicile of the child, child's parents, or Indian custodian is in a predominantly Indian community.

d. The child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service or Tribal Temporary Assistance to Needy Families (TANF).

e. X The child may have Indian ancestry.

f. The child has no known Indian ancestry.

g. Other reason to know the child may be an Indian child: _____

Person(s) questioned:
Name: Non-Responsive
Address: Non-Responsive
City, state, zip: Non-Responsive
Telephone: Non-Responsive
Date questioned: Non-Responsive
Means of communication: Non-Responsive
Relationship to child: Non-Responsive
Summary of information: Non-Responsive
Non-Responsive

Person(s) questioned:
Name: Non-Responsive
Address: Non-Responsive
City, state, zip: Non-Responsive
Telephone: Non-Responsive
Date questioned: Non-Responsive
Means of communication: Non-Responsive
Relationship to child: Non-Responsive
Summary of information: Non-Responsive
Non-Responsive

h. Information about other persons questioned is attached.

2. If this is a delinquency proceeding under Welfare and Institutions Code, § 601 or 602:

The child is in foster care.

It is probable the child will be entering foster care.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5/14/09

Deborah Schwartz
(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE)

Form Adopted for Mandatory Use
Judicial Council of California
ICWA-010(A) [New January 1, 2008]

INDIAN CHILD INQUIRY ATTACHMENT

Legal Solutions Plus